

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

**O**

UNITED STATES OF AMERICA

§

§

v.

§

C.A. NO. C-04-666

§

KEVIN M GERRITY

§


**ORDER OF DEFAULT JUDGMENT**

On April 28, 2005, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 10). After ample opportunity, no objections have been filed by either party. This Court regards such omission as each party's agreement with and acceptance of the Magistrate Judge's findings of fact and conclusions of law. Having reviewed the pleadings on file, the Court finds no clear error in the Magistrate Judge's memorandum and recommendation. *Douglass v. United Services Automobile Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). This Court adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, plaintiff's motion for entry of default judgment (D.E. 8) is GRANTED, and judgment in favor of the United States of America is entered in the following amounts:

Principal Balance . . . . . \$ 2,338.86  
Plus Interest . . . . . \$ 1,919.91  
    Plus prejudgment interest at \$ 0.51 per day  
        from September 28, 1998 to date of judgment;  
  
Plus Costs . . . . . \$ 254.06  
Plus Attorneys' Fees . . . . . \$ 550.00  
  
Plus postjudgment interest at 3.32% per annum.

ORDERED this 31st day of May, 2005.

  
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HAYDEN HEAD  
CHIEF JUDGE